

J-1 Waiver Regulation Changes -- Effective December 3, 2004

What's new?

- The J-1 Conrad Waiver program was extended until June 1, 2006 and clarifies that the aliens who obtain the Conrad waiver are not subject to the H-1B numerical limitations.
- Also, the Conrad program now allows for the practice of primary care **or** specialty medicine.
- States are now allowed to **use five** of the thirty Conrad applications for J-1 exchange visitor physicians who will be practicing medicine (i.e., primary or specialty practice) in a facility that services patients who reside in one or more designated geographic areas without regard to whether such a facility is located within such a designated area. The aforementioned applications will be referred to as “**non-designated**” Conrad applications.
(Previously, all thirty Conrad applicants had to practice medicine at a medical facility physically located in a designated medically underserved area.)

Will Virginia use the “non-designated” slots?

- Virginia has opted to use five of its Conrad slots for “non-designated” applications. (Submission of a waiver application to be considered for the non-designated slots should clearly indicate “non-designated J-1 waiver application request” in the cover letter.)

Will the criteria differ for non-designated waiver slots?

- Documentation supporting a non-designated waiver request must comply with the standard J-1 waiver guidelines. However, non-designated waiver requests documentation must support a finding that there is an extreme need for the medical service. The documentation should include:
 - the number of like positions in the community,
 - define community demographics,
 - indicate current effects of not having position available in the community, and
 - include letter of support from the District Health Director, and/or community practitioners, hospital administrators, etc.

How will the “non-designated” slots be allocated?

- Virginia will allot one non-designated waiver slot to each of its public hospitals: Virginia Commonwealth University Medical College of Virginia and University of Virginia.
- Virginia's three remaining slots will be handled on a first-come first served basis.

(Note: If there is not a request from the public hospital for a non-designated waiver slot by July 1, 2005, the slot will be deemed available for the general population.)